

REMARKS/ARGUMENTS

The Office Action dated September 1, 2009 requires restriction to one of two groups of claims:

- I. Claims 1, 3-11, 14-16 and 37-40.
- II. Claims 2, 17-23, 25-29 and 31-36.

The Applicant provisionally elects Group I and respectfully traverses the restriction requirement.

For a restriction requirement to be proper, the Examiner must show that examining the claims as a group would impose a serious burden on the Examiner if the restriction requirement were not made (MPEP §803 and §808). Applicant respectfully submits that the Examiner has not provided a prima facie showing of a serious burden on the Examiner, for two reasons.

Firstly, the claims are classified together in class 705. The Office Action contains no clear explanation justifying that classification together (class 705), but separate *sub-classification* (under subclasses 39 and 74), results in a serious burden on the Examiner, such as the inventions acquiring a separate status in the art, or resulting in a different field of search, as required under MPEP §808.

Secondly, the Examiner states that the claims in Group I would be classified in class 705, subclass 39 and the claims in Group II would be classified in class 705, subclass 74. Subclass 39 pertains to subject matter involving transferring funds between accounts, and subclass 74 relates to financial data that is exchanged with the user being anonymous. Applicants respectfully submit, as an alternative basis for finding no serious burden on the Examiner, that anonymity is not a required feature of the claims in Group II (e.g., claim 17), in that the feature of the sender not being required to communicate payout information and the sender not needing to know details of the recipient account information does not relate to maintaining anonymity, but rather minimizing burden to the user. Accordingly, Applicant believes that, at present, claims in both Group I and Group II would be properly classified under subclass 39.

Appl. No. 10/803,871
Amdt. dated September 25, 2009
Reply to Office Action of September 1, 2009

PATENT

CONCLUSION

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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